IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24235 of 2004

Between:

1 M. Ramana Reddy S/o M. Lakshmi Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
2 M. Venkateshwar Reddy S/o M. Subba Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
3 M. Ramdas Reddy S/o Narayana Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
4 G. Nagabhushanam S/o Thippaiah
R/o Tuggali Village & Tuggali Mandal, Kurnool District
5 M. Linga Reddy S/o M. Basi Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
6 V. Tulasamma W/o Late Sunki Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
7 Sarojamma W/o Pullanna
R/o Tuggali Village & Tuggali Mandal, Kurnool District
8 M. Ramana Reddy S/o late Narasimha Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District
9 M. Chandramma W/o Late Rama Lingeswara Sharma
R/o Tuggali Village & Tuggali Mandal, Kurnool District
10 L. Thippamma W/o Pampan Goud
R/o Tuggali Village & Tuggali Mandal, Kurnool District
11 M. Prasad Reddy S/o M. Narsimha Reddy
R/o Tuggali Village & Tuggali Mandal, Kurnool District

.....PETITIONERS

AND

1 The District Collector, Kurnool, Kurnool District
2 The Revenue Divisional Officer, Adoni, Kurnool District
3 The Mandal Revenue Officer, Tuggali Mandal, Tuggali, Kurnool District
4 Sri Sai Ram Trading and Transport Company rep by Managing Partner Sri B.

Sivaramaiah, S/o B. Ramachandrudu R/o 4-595- 12B3A, Asain Complex, By-Pass Road, Anantapur

5 The Assistant Director of Agriculture (R), Agriculture Department, Pattikonda, Kurnool District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not initiating any action against the 4th respondent in pursuance of the MRO Report dated 23-6-2004 is illegal, arbitrary and unjust and consequently direct the 1st respondent to initiate action against the 4th respondent by stopping of loading and unloading of iron ore at Tuggali Railway station Kurnool, District.

For the Petitioners: MR.G.RAVI MOHAN, Advocate

For the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The grievance of the petitioners is that due to loading and unloading of iron ore activity of the fourth respondent-Trading and Transport Company near the Railway Station at Tuggali village of Kurnool District, the powder-dust of the ore spreading around, causes lot of damage to the crops and affects the health of the villagers nearby and though they submitted a representation, dated 23-6-2004 requesting action to stop the activity of the fourth respondent and thereupon the third respondent-Mandal Revenue Officer submitted a report on 23-6-2004 to the first respondent-District Collector for necessary instructions, no action has been taken by the first respondent to stop the activity of the fourth respondent. Hence, the writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the first respondent-District Collector, Kurnool to take necessary action in accordance with law on the representation submitted by the petitioners and other villagers, dated 23-6-2004 in connection with loading and unloading of iron ore activity of fourth respondent, by taking into consideration the report of the third respondent-Mandal Revenue Officer, Tuggali, dated 23-6-2004, within a period of eight weeks from the date of receipt of a copy of this order, after issuing a notice to the fourth respondent in the matter.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

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N.V. RAMANA, J

Date: 27-12-2004

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To

1 The District Collector, Kurnool, Kurnool District
2 The Revenue Divisional Officer, Adoni, Kurnool District
3 The Mandal Revenue Officer Tuggali Mandal, Tuggali, Kurnool District

4 The Assistant Director of Agriculture (R) Agriculture Department, Pattikonda, Kurnool District

5 Two C.Cs to the Government Pleader for Revenue, High Court Buildings, A.P. Hyderabad (OUT).

6 Two C.D.copies.